

20 minutes per side to conduct general and individual *voir dire* of the venire panel. The Court will provide the parties with a diagram of the room that identifies the jurors and their seat assignments.

The Court will read the following passage regarding the absence of Plaintiff Lindsay Ward from the jury selection:

The Plaintiff, Lindsay Ward, is not present in the courtroom today because of scheduling conflicts, but she will be here for the start of trial on Monday.

B. Trial

Trial will begin at 9AM on Monday, May 6, 2024, in Courtroom #2 in the United States District Court, 800 Franklin, Waco, Texas 76701. The parties shall jointly provide notebooks to the jurors on the first day of trial before the trial begins. The notebooks shall contain the following:

- Blank pages for taking notes;
- A pen; and
- A page for each witness who will testify including the witnesses name and a photograph of the witness.

There will be no trial on May 9th or 10th, and trial is expected to be complete by May 16, 2024. Trial will generally begin at 9AM each day, and end between 5 and 5:30 PM each day, but may require earlier start and later end times as the Court deems necessary. The Court will take a morning break, a 1.5 hour lunch break, and an afternoon break. The Court expects any objections to demonstratives, exhibits, witnesses, or deposition designations shall be addressed during one of these breaks, before the jury convenes in the morning, or after the jury leaves for the day.

Each side is allotted 45 minutes for opening statements and 45 minutes for closing arguments.

The parties shall use electronic exhibits for any exhibit displayed and/or given to the jury, unless providing or displaying an exhibit electronically is impractical or restricted under the protective order. For the sake of clarity, any witness, counsel, staff, and the Court may each have his or her own set of physical exhibits. However, physical exhibits will not be passed to the jury or sent back to the jury room.

C. Trial

The following procedure will govern the disclosure of witnesses, exhibits, deposition testimony, and demonstratives to use at trial and the process to identify any objections remaining between the parties regarding these disclosures:

- a. Each party shall exchange by email a list of witnesses it intends to call, deposition designations it intends to play, and demonstrative exhibits for use during direct examination or opening statements—but not for cross examination—and identification of the witness each such demonstrative will be used with by **5:00 PM two days before their intended use**. For example, if a witness will be called on Monday and demonstrative exhibits will be used with that witness, they must be identified and provided to opposing counsel by email no later than 5:00 PM Saturday.
- b. The parties shall exchange objections to witnesses, demonstratives, or deposition designations, and any counter deposition designations by **7:00 AM one day before their intended use**. For example, if a witness will be called on Monday and demonstrative exhibits will be used with that witness or deposition designations will be played on Monday, the opposing party must provide its objections and counter designations by 7:00 AM on Sunday.
- c. By **9:00 AM one day before their intended use**, the parties shall jointly email the Court any remaining objections to witnesses, demonstratives, or deposition designations to be used the following day. The parties shall state their position on each dispute in three sentences or less and shall attach to the email digital copies of all relevant exhibits, demonstratives, or deposition designations with any disputed passages highlighted.

- d. The Court will rule on evidentiary issues submitted to the Court at the lunch or afternoon break one day before each day of trial at issue. Any disputes for the first Monday of trial will be resolved at 8:30 AM on Monday morning.

SIGNED this 1st day of May, 2024.

A handwritten signature in black ink, appearing to read "Derek T. Gilliland", is written over a horizontal line.

DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE